

Terrell, Terry, Throckmorton, Titus, Tom Green, Travis, Trinity, Tyler, Upshur, Upton, Uvalde, Val Verde, Van Zandt, Victoria, Walker, Waller, Ward, Washington, Wharton, Wheeler, Wichita, Wilbarger, Wilson, Williamson, Winkler, Wise, Wood, Yoakum, Young, and Zavala."

Sec. 3. All laws and parts of laws in conflict herewith are hereby repealed.

Sec. 4. The fact that Zavala and Dimmit Counties and the people thereof do not desire inspection of livestock in accordance with Chapter 7, Title 121, and that said Counties are not now exempt from the provisions of said Chapter creates an emergency and an imperative public necessity requiring that the Constitutional Rule that bills be read on three several days in each House be suspended, and said Rule is suspended, and this Act shall be effective from and after its passage, and it is so enacted.

Passed the House, February 19, 1943: Yeas 119, Nays 0; passed the

Senate, March 10, 1943: Yeas 26, Nays 0.

Approved March 17, 1943.

Effective March 17, 1943.

EMPLOYMENT AND LABOR AGENCY LAW

CHAPTER 67⁶⁹

II. B. No. 264

An Act repealing the Employment Agency Law as passed by the Thirty-eighth Legislature in 1923, and amended by the Forty-fifth Legislature, Second Called Session, 1937, being Articles 5203 through Article 5221, Revised Civil Statutes of Texas, of 1925, and Articles 1584 through Article 1593, Penal Code of Texas of 1925, and repealing the Emigrant Agency Law as passed by the Forty-first Legislature, Second Called Session, 1929, being Senate Bill No. 127, Chapter 96, Page 203, and House Bill No. 102, Chapter 11, Page 16 of said Session Acts; providing an Employment and Labor Agency Law for Texas; defining certain terms used in the Act; defining certain exceptions; providing a method of licensing of employment and labor agents; providing a license fee and the posting of bonds; providing for the disposition of fees collected; providing for suits on bonds; providing an occupation tax to be paid in certain cases; providing a method of record keeping to be promulgated by the Commissioner of the Bureau of Labor Statistics; providing a method of cancelling licenses by the Commissioner; providing for appeals to Court; defining out-of-state agencies operating in this State; providing reports to be made of workers sent out of the State; providing a schedule of fees; providing receipt forms; prohibiting certain acts; prohibiting untruths by employer or applicant; providing for the display of license and law; declaring it to be a violation to operate without a license; defining the duties and authority of the Commissioner; providing for enforcement by civil proceedings; providing application for license shall be received as evidence; providing penalties; providing a saving clause; repealing conflicting laws; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. Definitions as used in the Act.

(a) The term "person" means an individual, partnership, association, corporation, legal representative, trustee, trustee in bankruptcy, or receiver.

(b) "Fee" means anything of value including money or other valuable consideration or services or the promise of any of the foregoing received by an employment agency from or on behalf of any person seeking employment or employees in payment for any service, either directly or indirectly.

⁶⁹ Vernon's Ann.Civ.St., art. 5221a—4; Pen.Code, art. 1503a.

(c) "Employer" means any person employing or seeking to employ any employee.

(d) "Employee" means any person performing or seeking to perform work or service of any kind for hire.

(e) "Employment or Labor Agent" means any person in this State who for a fee offers or attempts to procure or procures employment for employees, or without a fee offers or attempts to procure or procures employment for common laborers or agricultural workers, or any person who for a fee offers or attempts to procure or procures employees for employers, or without a fee offers or attempts to procure or procures common laborers or agricultural workers for employers, or any person, regardless of whether a fee is received or due, offers or attempts to supply or supplies the services of common or agricultural workers to any person.

(f) "Commissioner" shall mean the Commissioner of the Bureau of Labor Statistics.

(g) "Deputy or Inspector" shall mean any person who is duly authorized by the Commissioner to act in that capacity.

(h) "Agent" shall mean either employment agent or labor agent as defined by this Act.

Sec. 2. Exceptions. The provisions of this Act shall not apply to persons who charge a fee of not more than Two Dollars (\$2) for registration only for procuring employment for school teachers; provisions of this Act shall not apply to any employment agency established and operated by this State, the United States Government, or any municipal government of this State; the provisions of this Act shall not apply to any person who may operate a labor bureau or employment office in conjunction with his own business for the sole and exclusive purpose of employing help for his own use within this State, nor to any common carrier operating in this State who may operate an employment office in conjunction with his own business for the exclusive purpose of employing help for his own use within or without this State, provided, that no fee or other charge or reduction is exacted from the salary or wages of the worker for employment given. If a fee or charge of any kind, either directly or indirectly, is exacted of the worker, then said employer is deemed an employment or labor agent and is subject to the provisions of this Act. The provisions of this Act shall not apply to farmers or stock raisers acting jointly or severally in securing laborers for their own use in this State where no fee is charged or collected, either directly or indirectly, for employment given; the provisions of this Act shall not apply to any person, corporation, or charitable association chartered under the Laws of Texas for the purpose of conducting a free employment bureau or agency; nor to any veterans' organization or labor union; nor to any nurses' organizations operated not for profit, to be conducted by recognized professional registered nurses for the enrollment of its professional members only for the purpose of providing professional service to the public.

Sec. 3. Application and Bond. Application and bond for an employment or labor agency license shall be executed on blank forms prescribed and furnished by the Commissioner. Application for license to act as an employment or labor agency may be made in person or by mail to the Commissioner upon blank application form which shall be verified by the applicant. Where the application is made by a firm, partnership, or association of persons, it must be verified by each person for whose benefit the application is made, and such application shall also be accompanied by affidavits of at least five (5) creditable citizens who have resided in the county in which such applicant desires to conduct the business of an

employment or labor agency for at least three (3) years, to the effect that the applicant or applicants are residents of the county in which such person desires to become an employment or labor agent, and that such person or persons are of good moral character. The Commissioner may require additional evidence of the moral character of applicants and may make such additional investigation of said applicant as he deems necessary, and no license shall be granted to any persons except those of good moral character.

Such application shall be examined by the Commissioner and if he finds that the same complies with the law and that the applicant is entitled to a license, then he shall issue a license to the applicant for each county for which application is made, and shall deliver such license to the applicant upon the payment of a license fee of One Hundred and Fifty Dollars (\$150) for each county in which the employment or labor agent intends to operate. Not more than one office shall be operated for each license issued. Each person making application for an employment or labor agency license and before such license is issued, shall make and file with the Commissioner a good and sufficient bond executed by the applicant with good and sufficient surety in the penal sum of Five Thousand Dollars (\$5,000), payable to the State of Texas, for each county in which the agent intends to operate; said bond shall be conditioned that the obligor will not violate any of the duties, terms, conditions and requirements of this Act, and that the principal, his agents or representatives will not make any false representation or statement to any person soliciting any assistance from him for employees or employment, or solicited by him to accept employment.

Said bond shall further recite that any person injured or aggrieved by any false or fraudulent statement of such agent, his sub-agents or representatives, or any violation of the provisions thereof by such agent, sub-agent or representative, shall be entitled to bring suit thereon. Each license issued by the Commissioner shall be good for a period of one year from the date of issuance.

Sec. 4. Disposition of License Fees Collected. Until September 1, 1943, the Commissioner shall deposit with the State Treasurer as provided by law all moneys received by him from license fees under the provisions of this Act, to be held in a separate fund known as the "Employment Agency Fund" and to be used for expenses incurred in inspecting, regulating and printing blank forms to be furnished such employment agencies by the Commissioner and the same, together with balance on hand in such fund on the effective date of this Act, is hereby appropriated for said purposes, and all such expenditures shall be verified by the person to whom such payments are made and on the approval of such expenditures by the Commissioner it shall be the duty of the Comptroller of the State to draw his warrant on the Treasurer of the State for the amount of such expenditures in favor of the person claiming the same, to be paid out of the "Employment Agency Fund." On September 1, 1943, all moneys remaining in such special fund and all moneys thereafter received by the Commissioner from license fees under this Act shall be paid into and become a part of the General Revenue Fund.

Sec. 5. Suits on Bond. Any person injured or aggrieved by any action, conduct, false representation or false statement of any such employment agent, his sub-agents or representatives may bring suit for damages against such agent on said bond in any county where such action, conduct, false representation or false statement was made in any Court of competent jurisdiction, without the necessity of making the State a party thereto. Where the bond has become impaired by recoveries

thereon to the extent of fifty (50) per cent of the penal sum named therein, the Commissioner may, by a notice in writing, demand the execution of a new bond, which if not executed and submitted to the Commissioner within twenty (20) days for his approval, such failure to execute a new bond shall ipso facto forfeit and cancel the license issued to the principal named in said bond.

Sec. 6. Occupation Tax on Agencies Sending Employees Out of State. In addition to the license fee and bond required in Section 3 of this Act, every employment or labor agent hiring, enticing, or soliciting common or agricultural workers in this State to be employed beyond the limits of this State, shall pay an annual State tax of Six Hundred Dollars (\$600) and in each county where said employment or labor agent operates, an annual tax on a population basis according to the preceding Federal census as follows: In counties under one hundred thousand (100,000) population the sum of One Hundred Dollars (\$100); in counties having a population from one hundred thousand (100,000) to two hundred thousand (200,000) inclusive, the sum of Two Hundred Dollars (\$200); and in counties over two hundred thousand (200,000) population the sum of Three Hundred Dollars (\$300). This tax shall be paid to the Commissioner at the time such employment or labor agency license or licenses are issued and shall be forwarded by him to the proper tax collection agencies. Such tax shall be good for the same period of time as the employment agency license.

Sec. 7. Agents to Keep Record. Every licensed employment or labor agent shall keep and maintain an office in this State at which a complete record of the business transacted shall be kept; he shall keep such records of his business transacted as deemed necessary by the Commissioner, and on a form prescribed by the Commissioner. All of the books, correspondence, memoranda, papers and records of every kind and character incident to the business of an employment or labor agent licensed under this Act shall be subject to inspection at any time by the said Commissioner of the Bureau of Labor Statistics, his deputies or inspectors, and a failure to keep such records as deemed necessary by the Commissioner or a failure to permit said Commissioner, his deputies or inspectors to inspect such books, correspondence, memoranda, papers and records at any time shall be sufficient grounds for the Commissioner to cancel the license of such agents, and he shall have the authority and it shall be his duty to do so.

Sec. 8. Cancellation of License. The Commissioner shall have the authority, and it shall be his duty, to cancel the license of any employment agent when it shall appear to his satisfaction, upon hearing, that such agent has been convicted in a State or Federal Court of an offense which under the laws of this State is a felony, or for any offense involving moral turpitude, or that the agent had obtained his license illegally or fraudulently or was guilty of fraud, false swearing, or deception in securing his license, or has violated any provision of this Act.

The Commissioner shall not cancel the license of any agent until complaint in writing, made by a credible person, shall be filed with him, specifying in general terms the grounds of the proposed cancellation, and a full and fair hearing given to him thereon. Upon the filing of such complaint, the Commissioner shall fix a time and place, reasonably accessible to the agent complained against, for the hearing of said complaint. The Commissioner shall notify the agent so complained against of the time and place fixed for said hearing by a registered letter addressed to him at his post office address as the same appears upon his application for license, accompanied by an exact copy of the complaint against him; and

mailing of such notice and copy shall be sufficient and conclusive evidence of proper service of the procedure upon the agent so complained against. The agent so complained against shall have at least ten (10) days after the date said notice is mailed, exclusive of the day of mailing and the day of hearing, before hearing upon said complaint shall be had, and shall have the right to file answer, introduce evidence and to be heard both in person and by counsel. The Commissioner shall have the power to summon and compel the attendance of witnesses before him to testify in relation to any such complaint, and may require the production of any book, paper or document deemed pertinent thereto. Said Commissioner shall also have the power to provide for the taking of depositions of witnesses and evidence may be heard either from witnesses present testifying orally, or by deposition taken under such rules, and in such fair and impartial manner as the Commissioner may prescribe. Said hearing shall be had before the Commissioner and shall be conducted in a fair and orderly manner, and in accordance with rules of procedure to be adopted by the Commissioner.

At the conclusion of the hearing the Commissioner shall enter his findings and judgment in writing and the same shall be recorded by him in a permanent record to be kept by him, and a copy thereof furnished to the agent complained against. Any agent whose license shall be cancelled by the Commissioner, may, within thirty (30) days after the cancellation thereof, and not thereafter, have his right of action for reinstatement against the Commissioner in the District Court of Travis County. If the agent whose license has been cancelled by the Commissioner shall, within ten (10) days after receiving information of such cancellation, give notice to the Commissioner in writing of his intention to file such suit, the action of the Commissioner in cancelling the said license shall be suspended for a period of thirty (30) days, but unless such suit shall be filed within said time, the action of the Commissioner shall be final. If suit shall be filed against the Commissioner to reinstate said license within said time, the action of the Commissioner shall remain suspended until the validity of the license in question shall be adjusted by the Court in said suit. In such suits the burden shall be upon the agent to show good cause for reinstatement of his license.

Sec. 9. Out-of-State Agencies. No foreign labor agent, labor bureau or labor agency or other person or corporation resident of or domiciled in any other State or Territory of the United States shall enter this State and attempt to hire, entice, or solicit or take from this State any common or agricultural workers, singly or in groups, for any purpose without first applying to the Commissioner of the Bureau of Labor Statistics for a license as an employment or labor agent as provided by this Act.

Sec. 10. Reports to Commissioner on Out-of-State Workers. Any employment or labor agent hiring, enticing, or soliciting common or agricultural workers in this State to be employed beyond the limits of this State, shall make monthly reports to the Commissioner on the first day of each and every month covering the preceding month, correctly showing the name and address of every representative, sub-agent, contractor, solicitor, or recruiter engaged in any part of the work of that agency connected with the hiring, enticing, or soliciting of common or agricultural workers in this State to be employed beyond the limits of this State, and correctly showing:

- (a) The name, age, sex, race, and address of each person solicited to be employed beyond the limits of this State.
- (b) The name and address of the employer of every such person.
- (c) The kind of work every such person is employed to do.

- (d) The place where every such person is to be employed.
- (e) The term of employment of every such person.
- (f) The wages to be paid to every such person for his work, and
- (g) The number, name and address of each party, if any, returned to the State of Texas, by said agent, which report shall be filed with the said Commissioner of the Bureau of Labor Statistics, and
- (h) Whether or not transportation is to be furnished, arranged for, or paid for any such common laborer or agricultural worker either leaving or returning to this State.

The said Commissioner shall have the authority and it shall be his duty to cancel the license of every agent who fails to make and file such monthly reports on or before the tenth day of each month, respectively, for the preceding month in accordance with the cancellation procedure provided in this Act.

Sec. 11. Fees. Where a fee is charged for obtaining employment such fee in no event shall exceed the sum of Three (\$3) Dollars, which may be collected from the applicant only after employment has been obtained and accepted by the applicant; provided, however, employment or labor agents engaged exclusively in providing employment for skilled, professional, or clerical positions may charge, with the written consent of the applicant, a fee, not to exceed thirty (30) per centum of the first month's salary, which may be collected from the applicant only after employment has been obtained and accepted by the applicant.

Sec. 12. Receipt Forms Prescribed. A receipt shall be given by the employment agent to all applicants for all fees collected from such applicants. The form of such receipt shall be prescribed by the Commissioner of Labor and shall contain the name of the applicant, the amount of the fee paid, the date, the character of the work or the position secured, the name of the employer, together with his post office address and the location of the work the applicant is to perform.

Sec. 13. Certain Acts Prohibited. No employment or labor agent shall:

(a) Knowingly admit, or allow to remain on the premises of such agent any prostitute, gambler, intoxicated person or any person of bad character.

(b) Advertise his agency by means of cards, circulars, signs or in newspapers or other publications, unless all such advertisements shall set forth the name of the agent and the address of his employment office; nor shall any such licensed person use any letterheads or blanks not containing the name of such employment or labor agent and the address of his employment office.

(c) Publish or cause to be published any false or misleading advertisement or notice relating to his employment agency.

(d) Give any false information or make any false representation concerning employment to any applicant for employment.

(e) Send out an applicant for employment to any prospective employer without first having obtained a bona fide written order from such prospective employer.

(f) Furnish any female for immoral purposes; or send, or cause to be sent any female to enter as servant, inmate, or for any purpose whatsoever, any place of bad repute, house of ill fame, or assignation house, or any house or place of amusement kept for immoral purposes, the character of which such employment agent could have ascertained by reasonable diligence.

(g) Furnish employment to any child in violation of the Statutes regulating the employment of children or the compulsory attendance at school.

(h) Divide or offer to divide, directly or indirectly, any fee charged or received with any person who secures workers through such agent, or to whom workers are referred by such agent.

(i) No employment agent shall send any person to a prospective employer who is conducting a "lockout" against all or part of his employees; or whose employees, or a part of them are out on a strike, without first apprising said person of the existence of said "lockout" or strike.

Sec. 14. Untruth by Employer or Applicant. No employer seeking employees, and no person seeking employment, shall knowingly make any false statement or conceal any material facts for the purpose of obtaining employees, or employment, by or through any employment or labor agent.

Sec. 15. To Display License and Law. Every employment and labor agent shall keep conspicuously posted in his office the license issued to him under the law, two copies of this Act, one printed in English and the other in Spanish in type not smaller than ten points, which copies shall be conspicuously placed so that they may be easily read by the public, such copies of the Act to be furnished by the Commissioner at the time such license is issued.

Sec. 16. Doing Business Without License. Whoever acts as an employment or labor agent or conducts an employment office in any county in this State without having first filed with the Commissioner of Labor Statistics of the State of Texas, an application for license as employment or labor agent as provided by this Act, and/or without having first paid all State and county occupation taxes and annual license fee as provided by law or without having first secured a State license as provided, and/or who does not file monthly reports as provided by this Act, and/or who shall engage in the business of an employment or labor agent in any county in this State without first having designated such county as one of the counties in which he proposes to do such business in his original or amended application to the Commissioner of Labor Statistics of Texas, shall be guilty of a misdemeanor, and upon conviction shall be punished by fine not exceeding Five Hundred Dollars (\$500), or by imprisonment in the county jail for not exceeding six (6) months, or by both such fine and imprisonment.

Sec. 17. Authority of the Commissioner. The Commissioner of the Bureau of Labor Statistics and his deputies or inspectors are hereby empowered to enforce the provisions of this Act, and shall have the authority of peace officers in making arrests of any person or persons who violate, in their presence, any of the provisions of this Act; and when such arrest has been made, the Commissioner or his duly appointed deputies or inspectors may enter any employment office at any time when such employment office is open for business and inspect the registers and all other records of whatsoever kind and character of such employment or labor agent for the purpose of ascertaining whether the provisions of this law are being violated, and the refusal of any employment or labor agent to permit such inspection shall be a violation of the Act, and be sufficient reason for the Commissioner to cancel the license of such agent in accordance with the provisions of Section 5 of this Act.

Sec. 18. Injunction. Any person who shall act as an employment or labor agent, or who shall conduct an employment office, without first procuring a license as required and provided for in this Act may be enjoined from unlawfully pursuing such business or occupation, and the Attorney General shall bring suit for such purpose in the name of the State of Texas in Travis County, and the district or county attorney of any county wherein such person engages in such business or conducts an employment office in violation of this Act is hereby authorized to maintain

in the proper Court of said county a suit in the name of the State of Texas to enjoin and prevent such person from unlawfully pursuing such occupation. In all such cases it shall not be necessary for the attorney bringing the suit to verify the pleadings or for the State to execute any bond as a condition precedent to the issuing of any injunction or restraining order hereunder.

Sec. 19. License as Evidence. Any application made by an employment or labor agent for a license, or a certified copy thereof under the hand and seal of the Commissioner, shall be received as evidence in any Court in this State without the necessity of proving the execution thereof.

Sec. 20. Punishment. Unless otherwise provided for in this Act, any employment or labor agent who violates any provision of this Act shall be fined not less than Twenty-five Dollars (\$25) nor more than Two Hundred Dollars (\$200), except that any employment or labor agent who shall induce or attempt to induce any person to leave his or her employer with a view to having said person obtain employment through his agency, shall be fined not less than Fifty Dollars (\$50) nor more than Two Hundred and Fifty Dollars (\$250), or be imprisoned in jail not to exceed one (1) year, or both.

Sec. 21. Saving Clause. That in the event any section, or part of section or provision of this Act be held invalid, unconstitutional, or inoperative, this shall not affect the validity of the remaining sections, or parts of sections of this Act, but the remainder of the Act shall be given effect as if said invalid, unconstitutional or inoperative section, or part of section or provision, had not been included. In the event any penalty, right or remedy created or given in any section or part of this Act is held invalid, unconstitutional or inoperative, this shall not affect the validity of any other penalty, right or remedy created or given either in the whole Act or in the section thereof containing such invalid, unconstitutional or inoperative part, and if any exception to or any limitation upon any general provision herein contained shall be held to be unconstitutional or invalid, the general provisions shall nevertheless stand effective and valid as if the same had been enacted without such limitation or exceptions.

Sec. 22. Repealing Conflicting Laws. The Employment Agency Law as passed by the Thirty-eighth Legislature in 1923, and amended by the Forty-fifth Legislature, Second Called Session, 1937, being Articles 5208 through Article 5221,⁷⁰ Revised Civil Statutes of Texas of 1925, and Articles 1584⁷¹ through Article 1593, Penal Code of Texas, 1925, and the Emigrant Agency Law as passed by the Forty-first Legislature, Second Called Session, 1929, being Senate Bill No. 127, Chapter 96,⁷² Page 203, and House Bill No. 102, Chapter 11,⁷³ Page 16 of said Session Acts, are hereby specifically repealed and all other laws and parts of laws in conflict herewith are hereby repealed.

Sec. 23. Emergency Clause. Because the present laws governing the regulation of employment and labor agents have been held unconstitutional in part by the Courts of this State and the further fact that our present laws governing employment and labor agents are in conflict create an emergency and an imperative public necessity demanding the Constitutional Rule requiring bills to be read on three several days in each House be, and such Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

⁷⁰ Vernon's Ann.Civ.St., arts. 5208-5210, 5211-5221.

⁷¹ Vernon's Ann.Pen.Code, arts. 1584-1593.

⁷² Vernon's Ann.Civ.St., art. 5221a-1, Pen.Code, art. 1137d.

⁷³ Vernon's Ann.Civ.St., art. 7047(40).

Passed the House, March 8, 1943: Yeas 106, Nays 6; passed the Senate, March 11, 1943: Yeas 26, Nays 0.
Approved March 17, 1943.
Effective March 17, 1943.

HOURS OF LABOR FOR FEMALE EMPLOYEES

CHAPTER 68⁷⁴

S. B. No. 129

An Act limiting the hours of labor and prescribing wages for overtime labor of female employees employed in any factory, mine, mill, workshop, mechanical or mercantile establishment, hotel, restaurant, rooming house, theater, moving picture show, barber shop and/or beauty shop, road side drink and/or food vending establishment, telegraph, telephone or other office, express or transportation company, or any State institution, or any other establishment, institution or enterprise where females are employed, any laundry, any factory engaged in the manufacture of cotton, woolen or worsted goods or articles of merchandise manufactured out of cotton goods; compelling each employer of female labor in the businesses, establishments, or institutions set out above to provide suitable seats for such female employees when not engaged in their active duties; providing that notice of said suitable seats shall be prominently posted; providing exceptions for certain types of employment and for certain employees working in rural districts and cities or towns of less than three thousand (3,000) inhabitants; providing certain exemptions in times of extraordinary emergencies; providing that in time of war and/or a proclaimed national emergency female workers in certain industries may be employed not exceeding ten (10) hours per day, provided such employment is not injurious to health or morals and/or working such hours does not add to the hazards of worker and such hours of employment are in the public interest; providing exemptions of office employees of certain employers; providing certain duties and powers of the Commissioner of Labor Statistics; providing for procedure of informal hearings; giving the Commissioner of Labor Statistics power to promulgate certain rules and regulations and make certain written findings of fact and orders in connection therewith; providing for the posting of notices when employers make application for hearings; providing for content of notices; providing Commissioner of Labor Statistics may designate representatives to hold hearings; providing the Commissioner of Labor Statistics make certain findings and orders in connection therewith; providing exemptions may be made for six (6) months and automatically be extended; providing for cancellation of exemption under certain circumstances; providing that an exemption cannot be used as a defense after notice of cancellation has been given; setting out penalties for the violation of the Act; providing for the repeal of Chapter 56 of the General Laws of 1915, Regular Session of the 34th Legislature; Chapters 86 and 87 of General Laws of 1929, 41st Legislature, First Called Session, Chapter 114 of General Laws of 1933, Regular Session of the 43rd Legislature; Articles 1569, 1570, 1571, 1572 of Title 13, Chapter 3 of the Penal Code of Texas, Articles 5168, 5169, 5170, 5171 and 5172 of Chapter 6, Title 83 of the Revised Civil Statutes of Texas, are hereby specifically repealed, and all other laws and parts of laws in conflict herewith are hereby repealed; declaring the provisions of this Act to be severable, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. No female shall be employed in any factory, mine, mill, workshop, mechanical or mercantile establishment, hotel, restaurant, rooming house, theater, moving picture show, barber shop, beauty shop, road side drink and/or food vending establishment, telegraph, telephone or other office, express or transportation company, or any State institution,

⁷⁴ Vernon's Ann.Civ.St., art. 5172a.